

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In Re:  
  
Julia Rosales

Debtor(s).

Case No.: 18-78239-las  
(Chapter 7)

Hon. Louis A. Scarcella  
Bankruptcy Judge

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**AFFIRMATION IN OPPOSITION TO LOSS MITIGATION REQUEST**

I, Deborah Turofsky, Esq., am an Attorney associated with the Law Firm of Gross Polowy, LLC and am duly licensed to practice law in the Courts of this State and in the United States Bankruptcy Court for the Eastern District of New York, and I hereby affirm as follows:

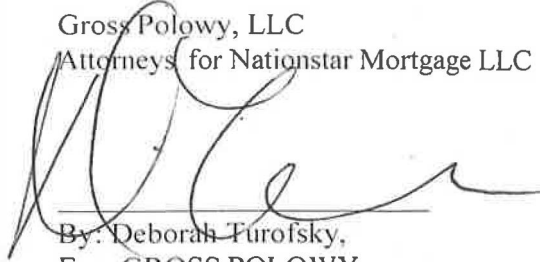
1. I submit the within Affirmation in Opposition to the Loss Mitigation Request filed by the above captioned debtor, Julia Rosales (the "Debtor"), in relation to real property commonly known as 78 Ormonde Boulevard, Valley Stream, NY 11580 (the "Real Property").
2. The Law Firm that this Affirmant is associated with represents Nationstar Mortgage LLC (the "Servicer") in relation to a first mortgage lien with loan number ending in ...2776, in relation to the Real Property.
3. The Debtor made a loss mitigation request in relation to the Real Property for the above mentioned mortgage lien on March 26, 2019 (the "Loss Mitigation Request").
4. The Date of Default is May 1, 2011. The loan is 95 payments past due.
5. The Debtor was recently reviewed and denied for loss mitigation options on January 9, 2019. The Debtor was evaluated for a proprietary modification based on the eligibility requirements of Deutsche Bank National Trust Company, the owner of the mortgage loan. The Debtor was denied as the Secured Creditor was unable to reduce the principal and interest payment. Attached as **EXHIBIT A** is the January 9, 2019 denial.
6. The current property value obtained on February 12, 2019 is \$455,000.00.

7. In the prior review, the debtor's unpaid balance on the property would have increased from \$487,935.34 to \$868,951.78. The Secured Creditor further reviewed this file in several ways:
  - Attempted to forbear \$260,685.53 leaving an interest bearing principal of \$608,266.25 which did not result in an approval.
  - Attempted to lower the interest rate from 7.950% to 4.875% which did not result in an approval.
8. The recent review resulted in a denial for insufficient monthly payment reduction as the principal and interest would have increased from \$3,232.57 to \$4,247.57. The review is not based on income.
9. For the reasons set forth above, the Secured Creditor respectfully submits that the Debtor's request for loss mitigation in relation to the Real Property commonly known as 78 Ormonde Boulevard, Valley Stream, NY 11580 be denied.

**WHEREFORE**, the Secured Creditor respectfully requests that the Honorable Court deny the Debtor's request to enter into court-supervised loss mitigation efforts in relation to the Real Property commonly known as 78 Ormonde Boulevard, Valley Stream, NY 11580.

DATED: April 10, 2019  
Westbury, NY

Gross Polowy, LLC  
Attorneys for Nationstar Mortgage LLC

By   
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